

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TITUS A. TORIOLA,

Plaintiff,

-against-

**CIVIL JUDGMENT**

06 CV 3751 (ARR)

INTERNAL REVENUE SERVICE,

Defendant.

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Pursuant to the Court's order issued August 18, 2006 dismissing this action,  
it is,

**ORDERED, ADJUDGED AND DECREED:** That the action is hereby dismissed  
for lack of subject matter jurisdiction. Fed. R. Civ. P. 12(h)(3). The Court certifies pursuant to 28  
U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis*  
status is denied for purpose of an appeal.

Dated: Brooklyn, New York  
Aug 18, 2006

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Allyne R. Ross

United States District Judge